

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

MOUNTAIN MARKETING
PROFESSIONALS, INC.,

Plaintiff

v.

FAIRFIELD RESORTS, INC. and
KIRK JOHNSON,

Defendants

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No. 3:04-cv-231

ORDER

For the reasons set forth in the Memorandum Opinion this day passed to the Clerk for filing, it is hereby ORDERED that defendants' motion for summary judgment [Court File #23] is GRANTED IN PART and DENIED IN PART. With respect to plaintiff's claims under the Tennessee Consumer Protection Act and plaintiff's breach of contract claim involving Big Daddy's Fireworks, defendants' motion is GRANTED. In all other respects, the motion is DENIED.

ENTER :

s/ James H. Jarvis
UNITED STATES DISTRICT JUDGE